

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA,

1:17-cr-290-GHW

-v-

ORDER

CARMEN ROMAN,

Defendant.

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GREGORY H. WOODS, United States District Judge:

On February 27, 2020, Carmen Roman filed a motion requesting that the Court modify her sentence. Ms. Roman argues that the Court should reduce her sentence because she was in home detention prior to the time she surrendered to the Bureau of Prisons. In essence, Ms. Roman argues that the Court should give her credit for the time she spent in home detention before surrendering and reduce her sentence accordingly.

Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), “[t]he court may not modify a term of imprisonment once it has been imposed” unless “extraordinary and compelling reasons warrant such a reduction[.]”¹ In this case, the fact that Ms. Roman wore an ankle bracelet prior to her sentencing does not constitute an extraordinary or compelling reason to modify her sentence. Accordingly, Ms. Roman’s motion is denied.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates

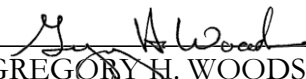
¹ There is another circumstance in which a court may reduce a defendant’s sentence that is not relevant to Ms. Roman’s motion.

good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Ms. Roman by first-class and certified mail and to terminate the motion pending at Dkt No. 592.

SO ORDERED.

Dated: March 3, 2020
New York, New York



GREGORY H. WOODS
United States District Judge